

**Plan Commission Meeting  
January 25, 2012**

**1. Meeting called to order**

President Ron Coutts called the meeting to order at 6:00 p.m. at the East Side Community Center, 6156 Douglas Avenue, Racine, WI, 53402.

Members present: President Ron Coutts, Elaine Radwanski, Ron Last, William Folk, Jonathan Schattner, Thomas Knitter, Trustee Kathy Burton, Village Administrator Tom Lebak, Village Engineer Mike Hayek and Caledonia Zoning Jarmen Czuta.

**2. Roll Call/Introductions**

Roll call was taken.

**3. Approval of minutes from 01/04/12 meeting**

Schattner moved to approve the minutes of the 01/04/12 meeting as read. Radwanski seconded. **Motion carried unanimously.**

**4. Citizen Comments**

No comments.

**5. Public Hearing Items**

There are no Public Hearing items.

**6. Recommendation on Public Hearing Items**

There are no Public Hearing items.

**7B (1). Request for 3-year extension on Preliminary Plat/Catlyn Woods/Newport Development/Ray Leffler**

Ray Leffler was present and explained this is a 68 lot subdivision. It has been approved, but due to economic conditions, he is asking for a 3 year extension from 2/7/12 to 2/7/15.

Radwanski asked how many times they can come before us. Hayek is unaware of a timeline. When the development does proceed, the developer must follow all ordinances, etc. that are in place at that time.

Last moved to recommend approval of the request for a 3-year extension on the Preliminary Plat for Catlyn Woods for Newport Development/Ray Leffler. Trustee Burton seconded. **Motion carried unanimously.**

**7B(2). Request for 3-year extension on Preliminary Plat/Creekview Estates/Newport Development/Ray Leffler**

Leffler explained this is a 9 lot development off of Erie St. It is an 8 acre field. It has been approved, but due to economic conditions, he is asking for a 3 year extension from 2/7/12 to 2/7/15. .

Last moved to recommend approval of the request for a 3-year extension on the Preliminary Plat for Creekview Estates for Newport Development/Ray Leffler. Trustee Burton seconded. **Motion carried unanimously.**

**7B(3). Request for 3-year extension on Preliminary Plat/Audubon Arboretum/Newport Development/Ray Leffler**

Leffler explained this development is at 5 ½ Mile Road and Charles Street and it contains 101 lots. It is to be developed in multiple phases. It has been approved, but due to economic conditions, he is asking for a 3 year extension from 5/17/12 to 5/17/15. .

Trustee Burton moved to recommend approval of the request for a 3-year extension on the Preliminary Plat for Audubon Arboretum for Newport Development/Ray Leffler. Folk seconded. **Motion carried unanimously.**

**7B(4). Request for 3-year extension on Preliminary Plat/Homestead Acres/Newport Development/Ray Leffler**

Leffler explained the development has been approved, but due to economic conditions, he is asking for a 3 year extension from 5/17/12 to 5/17/15.

Trustee Burton moved to recommend approval of the request for a 3-year extension on the Preliminary Plat for Homestead Acres for Newport Development/Ray Leffler. Last seconded. **Motion carried unanimously.**

**7. Non-Public Hearing Items**

**7A. Unfinished Business**

**7A. Request for Conditional Use/to use an existing building as a flower shop and for storage/6535 Hwy 31/#104042318094000/TDR, LLC (Tony DeRango)**

Jarmen Czuta from Racine County presented this item. He explained that at the 1/4/12 Plan Commission meeting the item was laid over. Yesterday photos were submitted to Racine County Development Services along with a landscaping plan, signage plan, hours of operations, etc.

Czuta went through the draft conditions which include the condition that lighting must comply with village ordinances, parking spaces must be provided with a minimum of 15 spaces, the dumpster must be screened and the landscaping plan must be implemented by 9/15/12.

A letter was received by Racine County on 1/17/12 from Leslie & Tom Mason, Martha Hutsick and Cupertino. They list items that they would like considered. He read their suggestions.

Radwanski asked about the landscaping plan. She feels there needs to be more landscaping closer to Tabor Rd. and Hwy 31. She agrees the surface of the parking lot needs to be redone. Last feels there needs to be more landscaping and he too feels the parking lot surface should be addressed. Schattner wants more detail on the landscaping plan. He stated that the east line of the property has a tree line and would like it to remain. The dumpster area needs to be enclosed. He also would like a condition of no outside storage and a condition that any vans are kept out of view. Last also said we should consider a monument sign not the pole sign.

Radwanski added that there is partial fencing on the east side. She recommends that it be repaired or replaced. DeRango said the fence was in worse condition when he bought the property. He has a quote for the enclosure of the dumpster.

Czuta reported they would use the existing Lee's Flowers sign at the new location. Discussion followed on the sign. The sign would possibly be mounted on the pole and perhaps have floodlights. Czuta said only soft white lights can be used. Last suggested using the existing sign as a monument sign.

Schattner asked DeRango about the landscaping. What is shown on the landscape plan is the existing landscape. Czuta asked if there could be more landscaping to screen from residences.

President Coutts asked how the property would be affected by the future Highway 31 widening. He would not want the owner to plant only to have to rip it out with the expansion. DeRango needs to find out from DOT how the widening will affect this property and if the sign would be out of the right of way.

Trustee Burton asked Tony DeRango and if he will be addressing the parking lot. He has gotten a bid from Rohner to do the driveway. He feels he could seal coat the entire parking lot at this time. Trustee Burton disagrees with screening the van. DeRango said the van will be parked inside and occasionally would be parked outside over night. Schattner would like to see it out of view after hours only. He feels this would be helping the neighbors. Schattner asked how the parking spaces would be marked. DeRango said the spaces will be marked in the spring. He would like to asphalt the gravel part. He needs 15 marked parking spaces.

Last feels DeRango needs to address a time frame as to when the parking lot will be completed. President Coutts would like to see it seal coated and come back in a year with a paving plan. DeRango will seal coat it in early spring. Schattner feels the owners need to keep the gravel at a dust free condition. Folk said he would like to see the seal coating completed by June 1<sup>st</sup> and then have the owner come back in one year with a permanent plan.

Radwanski asked about the pole gates. DeRango said he would remove them.

Schattner voiced concerns over the second driveway on Tabor Rd.. Hayek said it is close to the future wider Hwy 31. He explained when it is widened DOT will probably have them remove the driveway on Hwy 31 not Tabor Road. Discussion followed.

Tom and Leslie Mason, 4531 Tabor Rd. were present and said they did not have a chance to look at any plans. President Coutts feels the commission has addressed their concerns. She voiced the concerns of the Cupertinos who live next door to the building.

President Coutts stated he has been on Tabor Rd. and observed traffic. Most traffic is from Tabor in his observations.

Last explained the building was there before the homes. Variances used to be granted for business uses at this site. As of 2004 use variances are much tougher to be approved. Conditional uses help restrict businesses.

Martha Hutsick, 4502 Harvest Lane, voiced her concerns and stated what the residents would like done. They would like the fence removed, no additional lighting, no neon signs or moving message signs, removal of the old sign post and all metal gates, bermed landscape from driveway on Tabor Rd. to corner of Hwy 31, vacation of the driveway on Tabor Road, operating hours of M-F 8:30 to 5:00 p.m., Sat. 1-2 and deliveries only during operating hours, on the ramp to the lower level, removal of the chain and replaced with an aesthetically pleasing gate and redoing the parking lot to be all one surface. Czuta said with the sign the height would be lowered and the poles possibly used at a lower height.

DeRango said the chain link by the ramp was there to keep kids out. He will clean it up the best he can within his means. He will fix the fence and the drive way and remove gates.

The conditions need to include conditions for no outside storage, having the two gates removed, screening along the north lot line, repair of the fence on the east, and having the sign height lowered. DeRango needs to meet all requirements of the Village sign ordinance. Schattner said when DeRango goes to get a sign permit, he should have DOT review it. Schattner voiced concerns over lack of detail before the commission and he voiced concerns over moving forward at this time.

President Coutts stated his concerns over making this too restrictive for this owner.

Schattner asked that conditions should also say that if DOT requires things be moved, it be at the owner's expense. Discussion followed. Czuta explained any permit issued would be for rules as they are now. Racine County does not contact the State for every sign permit.

Czuta summarized that conditions should include no outside storage, gates removed, seal coating is complete by June 1 and reviewed in one year, parking lot be maintained dust free. Radwanski said also they need to add landscaping be completed closer to Hwy 31 and Tabor Rd and the fence needs to be repaired and maintained. Folk said condition #10 should be changed to include that a more detailed landscaping plan is needed and that evergreens should be planted on the Tabor Road and Hwy 31 side. Owner should add 3 trees on the north line and 3 trees on the Tabor side and 3 trees along Hwy 31. The trees should be from 3 to 4 feet in height. Discussion followed.

Folk said condition #8 should state that the dumpster will be enclosed not screened.

Schattner asked about hours of operation. Deliveries would be when the store is open. These will mostly be deliveries by van.

Folk moved to recommend approval of the request for conditional use to use an existing building as a flower shop and for storage at 6535 Hwy 31 #104042318094000 for TDR, LLC, Tony DeRango. Trustee Burton second. **Motion carried 6 in favor (Coutts, Radwanski, Last, Folk, Schattner, Burton) 1 abstained (Knitter).**

**7B. New Business**

**7B(5). Approval of Final Certified Survey Map (CSM)/split 8.5 acres lot from 73+ acres/7532 Nicholson Road/Dan Neider**

Hayek explained the concept CSM was approved. Neider needs to get access to Brookside Drive. In September there will be a sale for that property for tax delinquency at which time Neider will purchase it.

Schattner moved to recommend approval of the final certified survey map for the split of 8.5 acre lot from 73+ acres at 7532 Nicholson Road for Dan Neider with the condition that he obtain the tax delinquent property prior to having it recorded. Folk seconded. **Motion carried unanimously.**

**8. Report on the Community Development Authority**

No report.

**9. Adjournment**

Radwanski moved that there being no further business, the meeting be adjourned. Seconded by Trustee Burton. **Motion carried.** Meeting adjourned at 7:37 p.m.

Respectfully submitted,

Sharon Chmielinski  
Deputy Clerk